10774093 - GAU: 2887 ENT APPLICATION

1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors:

Daniel R. Swanson Sr.

Filing Date:

February 6, 2004

For:

System and Method of Using RFID Devices to Analyze Customer

Traffic Patterns in Order to Improve a Merchant's Layout

Mail Stop Patent Application COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

## **Information Disclosure Statement**

Applicant respectfully requests, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. Since the present Application was filed after June 30, 2003, a copy of any U.S. Patent and any U.S. Patent Application Publication cited on the attached PTO Form 1449 is not being submitted with this Information Disclosure Statement pursuant to the July 11, 2003 waiver of 37 C.F.R. S 1.98(a)(2)(i) by the U.S. Patent and Trademark Office. Furthermore, pursuant to 37 C.F.R. § 1.97(h), no representation is made that the references qualify as prior art or that they are material to the patentability of the present application.

Respectfully submitted,

BAKER BOTTS L.L.P. Attorneys for Applicant

Jay B. Johnson Reg. No. 38,193

Date: February 6, 2004

**Correspondence Address:** 

Baker Botts L.L.P. 2001 Ross Avenue, Suite 600 Dallas, Texas 75201-2980 Tel. 214.953.6431

**Customer Number:** 

05073

prmation Disclosur in an Application Document No.	on	Unknown 10/77 Docket Number 073897.0151	Unknown	Filing Date		
DOCUMENT NO.	on		Unknown			
			Group Art Unit Filing Date Unknown February 2887			
		U.S. PATENT DOCUMENT				
5 541 025	DATE	NAME	CLASS	SUBCLA SS	FILING DATE	
5,541,835	07/30/1996	Dextraze et al.	364	401 R	12/29/1992	
5,729,697	03/17/1998	Schkolnick et al.	395	223	04/24/1995	
6,032,127	02/29/2000	Schkolnick et al.	705	23	10/21/1997	
6,236,335	05/22/2001	Goodwin, III	340	825.49	09/17/1996	
6,424,264	07/23/2002	Giraldin et al.	340	573.1	10/12/2000	
6,507,279	01/14/2003	Loof	340	572.1	06/06/2001	
6,536,658	03/25/2003	Rantze	235	375	12/28/1999	
US 2002/0080198 A1	06/27/2002	Giraldin et al.	345	864	11/12/2001	
US 2002/0161651 A1	10/31/2002	Godsey et al.	705	22	08/22/2001	
US 2002/0165758 A1	11/07/2002	Hind et al.	705	10	05/03/2001	
US 2003/0009364 A1	01/09/2003	Miyoshi et al.	705	7	07/01/2002	
	FO	REIGN PATENT DOCUME	NTS			
DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
		NON-PATENT DOCUMENT	S		<u></u>	
					1	
DOCUMENT (Including Author, Title, Source, and Pertinent Pages)  L von Gunden, "Whose Afraid of RFID?", Integrated Solutions, pp. 1-3,					DATE	
					November 2001	
M McDonough, Jr., "TI Smart Tags Help Gap Customers Find Their Jeans", CRM News, pp. 1-3, http://www.crmdaily.com/perl/story/14773.html					November 14, 200	
N Ustaran, "Data Protection and RFID Systems", Privacy & Data Protection, Volume 3, Issue 6, pp. 6-7					Date Unknown	
Albrecht, "Is Big Brother in your Grocery Cart", C.A.S.P.I.A.N., pp. 1-2, http://www.nocards.org/					1999-2003	
P Albrecht, "Food Industry News", C.A.S.P.I.A.N., pp. 1-16, http://www.nocards.org/news/index.shtml					1999-2003	
Albrecht, "Food For Thought - Auto-ID: Tracking Everything Everywhere", C.A.S.P.I.A.N., pp. 1-5, http://www.nocards.org/AutoID/overview.shtml					1999-2003	
Chai, "Tags Track Japanese Shoppers", CNET News.com, pp. 1-2, http://news.zdnet.co.uk/business/0,39020645,2134438,00.htm					May 8, 2003	
Matthew, "RFID Tracking Makes it into Japanese Stores", Geek.com, pp. 1-6, http://www.geek.com/news/geeknews/2003May/gee20030509019926.htm					May 9, 2003	
<ul> <li>T Engels, "The Next Information Revolution: The Networked Physical World", Massachusetts Institute of Technology, 21 pages, http://www.autoidcenter.org/media/fmi_2002.pdf</li> </ul>					2002	
Simon, "What's in a Loyalty Card?", OutofRange.net, pp. 1-4, http://www.outofrange.net/blogarchive/archives/000291.html					July 23, 2003	
Skrzyucki, "System's Trademark: Have a Slow Day", The Regulators, pp. 1-3, http//search.washingtonpost.com/wp-srv/WPlate/1999-11/19/0711-111999-idx.html					November 19, 199	
	DOCUMENT NO.  McDonough, Jr., "TI Sm http://www.integratedsol McDonough, Jr., "TI Sm http://www.crmdaily.com Ustaran, "Data Protection  Albrecht, "Is Big Brother  Albrecht, "Food Industry  Albrecht, "Food For Tho http://www.nocards.org/.  Chai, "Tags Track Japane http://news.zdnet.co.uk/b  Matthew, "RFID Trackin http://news.zdnet.co.uk/b  Matthew, "RFID Trackin http://www.geek.com/ne  Engels, "The Next Inform Technology, 21 pages, ht  Simon, "What's in a Loya http://www.outofrange.ne  Skrzyucki, "System's Trackin Skrzyucki, "Sys	US 2002/0080198 A1 06/27/2002  US 2002/0161651 A1 10/31/2002  US 2002/0165758 A1 11/07/2002  US 2003/0009364 A1 01/09/2003  FO  DOCUMENT NO. DATE  DOCUMENT NO. DATE  DOCUMENT NO. DATE  DOCUMENT Tags Help Ga http://www.integratedsolutionsmag.com/a  McDonough, Jr., "TI Smart Tags Help Ga http://www.crmdaily.com/perl/story/1477  Ustaran, "Data Protection and RFID Syste  Albrecht, "Is Big Brother in your Grocery  Albrecht, "Food Industry News", C.A.S.P  Albrecht, "Food For Thought - Auto-ID: http://www.nocards.org/AutoID/overview  Chai, "Tags Track Japanese Shoppers", C http://news.zdnet.co.uk/business/0,390206  Matthew, "RFID Tracking Makes it into J http://www.geek.com/news/geeknews/200  Engels, "The Next Information Revolution Technology, 21 pages, http://www.autoidesimon, "What's in a Loyalty Card?", Outo http://www.outofrange.net/blogarchive/ard Skrzyucki, "System's Trademark: Have a http//search.washingtonpost.com/wp-srv/verescom/pessystem's Strzyucki, "System's Trademark: Have a http//search.washingtonpost.com/wp-srv/verescom/pessystem's Trademark: Have a http//search.washingtonpost.com/wp-srv/verescom/pessystem's Trademark: Have a http//search.washingtonpost.com/wp-srv/verescom/pessystem's Trademark: Have a http//search.washingtonpost.com/wp-srv/verescom/pessystem's Trademark: Have a http//search.washingtonpost.com/wp-srv/verescom/pessystem	G,536,658  US 2002/0080198 A1  O6/27/2002  Giraldin et al.  US 2002/0161651 A1  IO/31/2002  Godsey et al.  US 2002/0165758 A1  I1/07/2002  Hind et al.  US 2003/0009364 A1  O1/09/2003  Miyoshi et al.  FOREIGN PATENT DOCUMENT  NON-PATENT DOCUMENT  NON-PATENT DOCUMENT  DOCUMENT (Including Author, Title, Source, and von Gunden, "Whose Afraid of RFID?", Integrated Solutions, pp. 1-3, http://www.integratedsolutionsmag.com/articles/2001_11/011110.htm  McDonough, Jr., "TI Smart Tags Help Gap Customers Find Their Jeans' http://www.crmdaily.com/perl/story/14773.html  Ustaran, "Data Protection and RFID Systems", Privacy & Data Protection  Albrecht, "Is Big Brother in your Grocery Cart", C.A.S.P.I.A.N., pp. 1-2  Albrecht, "Food Industry News", C.A.S.P.I.A.N., pp. 1-16, http://www.nocards.org/AutoID/overview.shtml  Chai, "Tags Track Japanese Shoppers", CNET News.com, pp. 1-2, http://news.zdnet.co.uk/business/0,39020645,2134438,00.htm  Matthew, "RFID Tracking Makes it into Japanese Stores", Geek.com, pp. http://www.geek.com/news/geeknews/2003May/gee20030509019926.ht  Engels, "The Next Information Revolution: The Networked Physical W Technology, 21 pages, http://www.autoidcenter.org/media/fmi_2002.pdf  Simon, "What's in a Loyalty Card?", OutofRange.net, pp. 1-4, http://www.outofrange.net/blogarchive/archives/000291.html  Skrzyucki, "System's Trademark: Have a Slow Day", The Regulators, p http//search.washingtonpost.com/wp-srv/WPlate/1999-11/19/0711-1119	G.536,658   03/25/2003   Rantze   235     US 2002/0080198 A1   06/27/2002   Giraldin et al.   345     US 2002/0161651 A1   10/31/2002   Godsey et al.   705     US 2002/0165758 A1   11/07/2002   Hind et al.   705     US 2003/0009364 A1   01/09/2003   Miyoshi et al.   705     US 2003/0009364 A1   01/09/2003   Miyoshi et al.   705     FOREIGN PATENT DOCUMENTS	G.536,658  G.536,68  G.536,6	

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.